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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,726	01/22/2001	Carolyn Pianin	21300.105005	1308
20786	7590	12/13/2005	EXAMINER	
KING & SPALDING LLP 191 PEACHTREE STREET, N.E. 45TH FLOOR ATLANTA, GA 30303-1763			VIG, NARESH	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

09/766,726

Examiner

Naresh Vig

Applicant(s)

PIANIN, CAROLYN

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 03 June 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

  
[Patent Examiner]

## Continuation of 4(e) Other:

In the amendment filed 03 June 2005, applicant has amended claims 1 - 4, cancelled claims 5 - 10 and added 2 new independent claims and 15 additional dependent claims.

Original claims did not publish the requested information at the virtual market place, and, links to website of the commercial real estate server providers; engineering service comprised at least one of a property condition report, an Americans with Disabilities Act compliance review, a building, forensic study, construction monitoring, design/build construction, detailed design engineering, engineering desktop review, estimating, a feasibility study, a physical needs assessment, process engineering, reserve analysis, and a seismic study report; Phase I environmental service comprises a protocol environmental assessment; Phase II environmental service comprises at least one of asbestos assessment, lead-based paint assessment, underground storage tank, management, a ground water survey, and an operation and maintenance program; Phase III environmental service comprises at least one of an asbestos screening, a lead-based paint screening, a transaction screening, governmental records searching and interpretation, and a report review and opinion; appraisal service comprises at least one of a property valuation report, an ad valorem tax appraisal, a feasibility study, a financial reporting valuation, a highest and best use analysis, an impact analysis, insurance placement, and an insurance replacement cost study

Amended claims 1 - 4 and newly added claim 11 are directed to obtaining service in support of real estate transactions:

- publishing the requested information at the virtual marketplace
- the requested information is published as one of textual information regarding the commercial real estate service providers and links to web sites of the commercial real estate service providers web sites.
- receiving service provider criteria from each of the service providers, the service provider criteria defining services provided by each respective service provider; and
- matching the request criteria with the service provider criteria of one of the service providers to identify a specific service provider that can provide the requested service;
- receiving payment via the virtual marketplace to conclude a transaction for the requested service.

However:

Newly added claims 12 - 19, directed to providing services for real estate transactions using a distributed computer network:

- receiving service provider criteria from each of the service providers, the service provider criteria defining services provided by each respective service provider;
- matching the request criteria with the service provider criteria of one of the service providers to identify a specific service provider that can provide the requested service;
- publishing the requested information at the virtual marketplace
- the information is published as one of textual information regarding the commercial real estate service providers and links to web sites of the commercial real estate service providers,
- due diligence services comprise at least one of an engineering service, an environmental service, or an appraisal service.
- engineering service comprises at least one of a property condition report, an Americans with Disabilities Act compliance review, a building forensic study, construction monitoring, design/build construction, detailed design engineering, engineering desktop review, estimating, a feasibility study, a physical needs assessment, process engineering, reserve analysis, and a seismic study report.
- Phase I environmental service comprises a protocol environmental assessment,
- Phase II environmental service comprises at least one of asbestos assessment, lead-based paint assessment, underground storage tank management, a ground water survey, and an operation and maintenance program, and
- Phase III environmental service comprises at least one of an asbestos screening, a lead-based paint screening, a transaction screening, governmental records searching and interpretation, and a report review and opinion.
- appraisal service comprises at least one of a property valuation report, an ad valorem tax appraisal, a feasibility study, a financial reporting valuation, a highest and best use analysis, an impact analysis, insurance placement, and an insurance replacement cost study.

Newly added claims 20 - 26, directed to providing commercial real estate services via a distributed computer network:

- receiving service provider criteria from each of the service providers, the service provider criteria defining services provided by each respective service provider;
- matching the request criteria with the service provider criteria of one of the service providers to identify a specific service provider that can provide the requested service;
- publishing the requested information at the virtual marketplace
- the information is published as one of textual information regarding the commercial real estate service providers and links to web sites of the commercial real estate service providers,
- request criteria identifying a specific property comprises at least one of a property address, a building size, a site size, an age of the building, a property type, and a number of buildings on site.
- services comprise at least one of an engineering service, an environmental service, or an appraisal service.
- engineering service comprises at least one of a property condition report, an Americans with Disabilities Act compliance review, a building forensic study, construction monitoring, design/build construction, detailed design engineering, engineering desktop review, estimating, a feasibility study, a physical needs assessment, process engineering, reserve analysis, and a seismic study report.
- Phase I environmental service comprises a protocol environmental assessment,
- Phase II environmental service comprises at least one of asbestos assessment, lead-based paint assessment, underground storage tank management, a ground water survey, and an operation and maintenance program, and
- Phase III environmental service comprises at least one of an asbestos screening, a lead-based paint screening, a transaction screening, governmental records searching and interpretation, and a report review and opinion.
- appraisal service comprises at least one of a property valuation report, an ad valorem tax appraisal, a feasibility study, a financial \ reporting valuation, a highest and best use analysis, an impact analysis, insurance placement, and an insurance replacement cost study.

If the newly added claims 11 - 26 had been presented prior to the initial examination of the application, a restriction would have been issued for applicant to elect single invention.

In response to this office action, applicant can file an amendment within the scope of the original presentation, or, file a divisional application to claim the new invention